

**Notice of Allowability**

Application No.

09/479,363

Examiner

Anh Ly

Applicant(s)

GRASER, TIMOTHY JAMES

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/12/2005.
2. ☒ The allowed claim(s) is/are 1, 3-5, 12, 20 and 21 (renumbered as 1-7).
3. ☒ The drawings filed on 07 January 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JEAN M. CORNIELUS  
PRIMARY EXAMINER

### **DETAILED ACTION**

1. This Office Action is response to Applicants' Appeal Brief filed on 01/21/2005.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Derek P. Martin (Reg. No. 36,595) on 05/03/2005 & 05/12/2005.

The application has been amended as follows:

Claims 6-11, 13-19 and 22-23 are cancelled.

The first line of claim 12, "A method for replacing an existing class..." please rewrite it as "A computer-implemented method for replacing an existing class..."

The first line of claim 21, "A program product comprising:" please rewrite it as "A computer-readable program product on recordable media, the program product comprising:"

3. Claims 6-11, 13-19 and 22-23 are cancelled
4. Claims 1, 3-5, 12, 20 and 21 are allowed.

***Allowable Subject Matter***

5. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1, 3-5, 12, 20 and 21 are allowed in light of the applicants' argument and in light of the prior arts of made record.

6. The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to an apparatus, method and program product for replacing existing configuration data with new configuration data within an existing object-oriented program. The configuration data includes multiple entries, where each entry is a key-value pair. When an instance of a class needs to be created, the context information is retrieved and a key is generated from a combination of class information and the context information, that is, the context information appended to a text string class identifier for the existing class.

The closest prior arts, US Patent No. 5,943,497 of Bohrer et al. (hereinafter Bohrer) teaches allowing new configuration data to replace existing configuration data within an existing object-oriented program. The new configuration data allows an OO program to be quickly and easily generated from an existing OO program without manually changing the source code of the existing OO program. And US Patent No. 6,405,209 of Obendorf teaches storing object and class identifiers and pointer in a relational database (col. 5, lines 1-38). In

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combination, Bohrer and Obendorf both fail to teach "the context information appended to a text string class identifier for the existing class."

This distinct feature, in conjunction with all other limitations of the dependents and independent claims renders claims 1, 3-5, 12, 20 and 21 them allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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**Contact Information**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to (571) 273-4039. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: Central Fax Center (703) 872-9306.

ANH LY   
MAY 12<sup>th</sup>, 2005

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER